

**543D.22 Criminal background checks.**

1. The board may require a national criminal history check through the federal bureau of investigation for applicants for certification or registration, or for persons certified or registered, under [this chapter](#) if needed for credibility, to comply with federal law or regulation, or the policies of the appraisal qualification board of the appraisal foundation. The board may alternatively require a national criminal history check through the nationwide mortgage licensing system and registry, as defined in [section 535D.3](#), when conducting background investigations under this section, if authorized by applicable federal law or regulation.

2. The board may require applicants, certificate holders, or registrants to provide a full set of fingerprints, in a form and manner prescribed by the board. Such fingerprints, if required, shall be submitted to the federal bureau of investigation through the state criminal history repository for purposes of the national criminal history check.

3. The board may also request and obtain, notwithstanding [section 692.2, subsection 5](#), criminal history data for applicants, certificate holders, and registrants. A request for criminal history data shall be submitted to the department of public safety, division of criminal investigation, pursuant to [section 692.2, subsection 1](#).

4. The board shall inform the applicant, certificate holder, or registrant of the requirement of a national criminal history check or request for criminal history data and obtain a signed waiver from the applicant, certificate holder, or registrant prior to requesting the check or data.

5. The board may, in addition to any other fees, charge and collect such amounts as may be incurred by the board, the department of public safety, or federal bureau of investigation in obtaining criminal history information. Amounts collected shall be considered repayment receipts as defined in [section 8.2, subsection 8](#).

6. Criminal history data and other criminal history information relating to an applicant, certificate holder, or registrant obtained by the board pursuant to [this section](#) is confidential. Such information may, however, be used by the board in a certificate or registration denial or disciplinary proceeding.

[2013 Acts, ch 5, §28; 2016 Acts, ch 1124, §27, 32](#)

2016 amendment to subsection 1 takes effect January 1, 2017; 2016 Acts, ch 1124, §32  
Subsection 1 amended